

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WINDELS MARX LANE & MITTENDORF, LLP
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*Counsel for Alan Nisselson,
Distribution Agent and Responsible Officer
Of Chapter 11 Debtor MarketXT Holdings Corp, et. al., Appellee*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT NEW YORK**

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In re	:	
	:	
EMPYREAN INVESTMENT FUND, LP,	:	
EMPYREAN GENERAL PARTNER, LLC, ASH	:	
MASTER FUND II, LLC, ASH MASTER FUND,	:	
LP, ASH FUND, LP, f/k/a ASH CAPITAL	:	
MANAGEMENT. ASH GENERAL PARTNER,	:	
LLC, ASH OFFSHORE FUND, LTD, ASH	:	
GENERAL PARTNER OFFSHORE, LTD, et al.	:	
	:	Docket No. 08-cv-06936 RMB
Appellants	:	
	:	
v.	:	
	:	
ALAN NISSELSON AND OFFICIAL	:	
COMMITTEE OF UNSECURED CREDITORS,	:	
	:	
Appellees	:	
-----	X	

NOTICE OF APPEARANCE OF COUNSEL

PLEASE TAKE NOTICE, that the undersigned hereby appears as counsel for the
Appellees, as of the date hereof and requests service of all notices and documents herein upon:

WINDELSMARX LANE & MITTENDORF, LLP
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Dated: New York, New York
August 19, 2008

Respectfully submitted,

WINDELS MARX LANE & MITTENDORF LLP

/s/ Howard L. Simon

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Appellee

Certificate of Service

I, Tracy E. Heston, hereby certify that on this 19th day of August 2008, I caused a true copy of the foregoing Notice of Appearance, to be served electronically upon all parties listed in the ECF System for this matter.

/s/ Tracy E. Heston

TRACY E. HESTON